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Security Council

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The Security Council,

Recalling the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction (CWC), and its resolutions 2401 (2018), 2319 (2016), 2314 (2016), 2253 (2015), 2235 (2015), 2209 (2015), 2178 (2014), 2118 (2013), 1989 (2011), 1540 (2004) and 1267 (1999),

Noting that additional allegations of chemical weapons use in Syria continue to be investigated by the Fact-Finding Mission (FFM) of the Organization for the Prohibition of Chemical Weapons (OPCW),

Expressing deep concern at the alleged use of chemical weapons in the Douma area outside Damascus in the Syrian Arab Republic on 7 April 2018 reportedly causing large-scale loss of life and injuries, *affirming* that the use of chemical weapons constitutes a serious violation of international law, and *stressing* that those responsible for any use of chemical weapons must be held accountable,

Noting that the Director-General of the Organisation for the Prohibition of Chemical Weapons (OPCW) has announced, in addition to its ongoing investigation, that its Fact Finding Mission (FFM) is in the process of gathering and analysing information on this incident from all available sources and will report its findings to States Parties to the CWC,

Condemning in the strongest terms any use of chemical weapons and toxic chemicals as weapons in the Syrian Arab Republic, and *expressing* grave concern that civilians continue to be killed and injured by chemical weapons and toxic chemicals as weapons in the Syrian Arab Republic,

Recalling that the Syrian Arab Republic acceded to the CWC, *noting* that the use of any toxic chemical, such as chlorine, as a chemical weapon in the Syrian Arab Republic is a violation of resolution 2118, and *further noting* that any such use by the Syrian Arab Republic would constitute a violation of the CWC,

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Reaffirming their grave concern that the Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) and other individuals, groups, undertakings, and entities associated with ISIL (Da'esh) or Al-Qaida, including but not limited to foreign terrorist fighters who have joined ISIL (Da'esh in Syria, groups that have pledged allegiance to ISIL (Da'esh), and Al-Nusra Front (ANF), continue operating in the Syrian Arab Republic,

Emphasizing the importance of conducting an independent, impartial and transparent investigation that examines relevant evidence with professionalism, and including, where safety and security permits, in coordination with the United Nations Department of Safety and Security and the OPCW, safe travel to sites the investigators deem relevant to the investigation, which could include but is not limited to the site of the alleged attack, and where the investigators determine there are reasonable grounds to believe access is justified based on their assessment of the facts and circumstances known to them at the time, when security conditions allow for safe access,

Recalling that the FFM is not mandated to reach conclusions about attributing responsibility for chemical weapons use,

1. *Reiterates* its condemnation in the strongest terms of any use of any toxic chemical, including chlorine, as a weapon in the Syrian Arab Republic and *expresses its outrage* that civilians continue to be killed and injured by chemical weapons and toxic chemicals as weapons in the Syrian Arab Republic;

2. *Reiterates* that no party in the Syrian Arab Republic should use, develop, produce, acquire, stockpile, retain, or transfer chemical weapons;

3. *Recalls* its decision in resolution 2118 that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons, or, transfer, directly or indirectly, chemical weapons to other States or non-State actors;

4. *Condemns* in the strongest terms the continued reported use of chemical weapons in the Syrian Arab Republic, in particular the alleged use of chemical weapons in Douma on 7 April 2018;

5. *Expresses* its full support to the OPCW FFM, demands that all parties in the Syrian Arab Republic provide unhindered and safe access without delay to any sites deemed relevant by the OPCW FFM, and *requests* that the FFM report the results of its investigation of the alleged attack in Douma to the Director-General of the OPCW as soon as practicable;

6. *Reiterates its demand*, reminding in particular the Syrian authorities, that all parties facilitate safe and unimpeded passage for medical personnel and humanitarian personnel exclusively engaged in medical duties, their equipment, transport and supplies, including surgical items, to all people in need, particularly in Douma, consistent with international humanitarian law;

7. *Decides* to establish the United Nations Independent Mechanism of Investigation (UNIM) for a period of one year with a possibility of further extension and update by the Security Council if it deems necessary;

8. *Requests* the United Nations Secretary-General, in coordination with the OPCW Director-General, to submit to the Security Council, for its authorization, within 30 days of the adoption of this resolution, recommendations, including elements of Terms of Reference, regarding the establishment and operation of the UNIMI, based on the principles of impartiality, independence and professionalism, to identify to the greatest extent feasible, individuals, entities, groups, or governments who were perpetrators, organizers, sponsors or otherwise involved in the use of

chemical weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic, and *expresses* its intent to respond to the recommendations, including Terms of Reference, within fifteen days of receipt;

9. *Requests further* that the United Nations Secretary-General, in coordination with the OPCW Director-General, undertake without delay steps, measures, and arrangements necessary for the speedy establishment and full functioning of the UNIMI, including recruiting impartial and experienced staff with relevant skills and expertise in accordance with the Terms of Reference, and *notes* due regard should be paid to the importance of recruiting the staff on as wide a geographical basis as is possible;

10. *Reaffirms* support to the OPCW and UNIMI as they undertake their respective investigations in a manner they deem appropriate to fulfil their mandate, acknowledges the dangers associated with investigating chemical weapon use in Syria, and highlights the importance of full coordination with the United Nations Department of Safety and Security, and the OPCW, to ensure the FFM and UNIMI can safely travel to sites they deem relevant to their investigation, which could include but is not limited to the site of the alleged attack, where they determine there are reasonable grounds to believe access is justified based on their assessment of the facts and circumstances known to them at the time, when security conditions allow for safe access, and *urges* all Member States to facilitate such access where possible;

11. *Requests* the OPCW to provide UNIMI full access to all of the information and evidence obtained or prepared by the OPCW, including, but not limited to, medical records, interview tapes and transcripts, and documentary material, further *reaffirms* that the UNIMI should work in coordination with the OPCW to fulfil its mandate, and *requests* that the Secretary-General make the necessary arrangements for UNIMI to liaise closely with the OPCW to expeditiously investigate any incident the OPCW determines involved or likely involved the use of chemicals as weapons in order to identify those involved in accordance with the provisions of paragraph 8 of this resolution;

12. *Calls upon* all parties within the Syrian Arab Republic, to provide full cooperation with the FFM and UNIMI, and to facilitate immediate and unfettered, safe and secure access to witnesses, evidence, reporting, material and sites relevant to the investigation, in order for the FFM and the UNIMI to accomplish their mandates, further *calls upon* all parties to pause hostilities in the areas in which the FFM and the UNIMI require access in fulfilment of OP10, to enable where possible safe access for the FFM and the UNIMI to such sites, and *encourages* UNIMI to inform the Security Council in case they are unable to safely access sites that they deem necessary for their investigation;

13. *Recalls* its decision in paragraph 7 of resolution 2118 that the Syrian Arab Republic shall cooperate fully with the OPCW and United Nations, including by complying with their relevant recommendations, by accepting personnel designated by the OPCW or the United Nations, by providing for and ensuring the security of activities undertaken by these personnel, by providing these personnel with immediate and unfettered access to and the right to inspect, in discharging their functions, any and all sites, and by allowing immediate and unfettered access to individuals that the OPCW has grounds to believe to be of importance for the purpose of its mandate, and specifically *recalls* that all parties in the Syrian Arab Republic shall cooperate fully in that regard;

14. *Requests* the Secretary-General to report whether the information and access described in paragraph 13 of this resolution has been provided in his reports to the Security Council every 30 days pursuant to paragraph 12 of resolution 2118;

15. *Encourages* the UNIMI where relevant, to consult and cooperate with appropriate United Nations counter-terrorism and non-proliferation bodies, in particular the Committee established pursuant to resolution 1540 and 1267/1989/2253 ISIL (Da'esh) and Al-Qaida Sanctions Committee, in order to exchange information on non-State actors' perpetration, organization, sponsorship or other involvement in the use of chemicals as weapons in the Syrian Arab Republic;

16. *Requests* the UNIMI to retain any evidence related to possible use of chemical weapons in the Syrian Arab Republic other than those cases in which the FFM determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, including chlorine or any other toxic chemical, and to transmit that evidence to the FFM through Director-General of the OPCW and to the Secretary-General as soon as practicable;

17. *Requests* the UNIMI to submit to the Security Council and the OPCW Executive Council its first report within 90 days of the date it commences its full operations, as notified by the United Nations Secretary-General, as well as subsequent reports on its investigations as appropriate thereafter;

18. *Requests* the Committee established pursuant to Resolution 1540 (2004) to analyse information on trends in the activities of non-State actors involving preparations for use and actual use of chemical weapons in Syria and transmit a report to the Security Council as appropriate;

19. *Underlines* that the Security Council will thoroughly assess how to take action following the UNIMI's conclusions, and reaffirms in this regard its decision in response to violations of resolution 2118 to impose measures under Chapter VII of the United Nations Charter;

20. *Decides* to remain actively seized of the matter.